IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

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WRIT PETITION NO : 20576 of 2004

Between:

Sriramsagar Project Employees Joint Action Committee,

Korutla, Karimnagar District.
Rep. through its President, Khizer Ahmed.

..... PETITIONER

AND

1 Government of Andhra Pradesh,

Revenue (Assn.II) Department at Secretariat,

Hyderabad,

Rep. through its Principal Secretary, and 4 others.

.....RESPONDENTS

ORDER:

Seeking a declaration that the action of the respondents in not allotting the quarters in occupation of the members of the petitioner-Association in Sriramsagar Project Camp at Korutla, Karimnagar District, on par with the employees in other camp

areas as illegal and arbitrary, and consequently seeking a direction to the respondents to forthwith allot the said quarters to them on outright sale basis as per the report submitted by the office of fifth respondent on 9-3-1998, the present writ petition is filed.

Petitioner is a registered association, affiliated to INTUC since 20 years. All the members of the petitioner association are employees of Irrigation Department and have been working in Sriramsagar Project since 1967-68 onwards. For the purpose of construction of Sriramsagar Project, quarters were constructed for its employees at various places, and since then, the members of the petitioner association are residing in those quarters, and are getting them repaired. After completion of project, when there were proposals to sell the quarters by public auction, petitioner-association made representation to the authorities to allot those quarters to them on outright sale basis, as they have been in occupation of the same. The State also directed the authorities to look into those representations, and submit a report. The officers of the fifth respondent have already submitted a report supporting the plea of the petitioner-association, but so far no steps have been taken. The core grievance of the petitioner-association is that the employees working in other project areas have been granted quarters on outright sale basis, and only the proposals of the petitioner-association have not yet been considered. Hence, the writ petition.

None appears for the petitioner. Heard the learned Government Pleader for Irrigation, and perused the record.

The learned Government Pleader for Irrigation contended that the Government has given time bound programme of Flood Flow Canal works, which is surrounding of the Korutla area, and as such, there is a possibility to formation of Divisions/sub-Divisions etc., at Korutla Camp for execution of Flood Flow Canal works. Therefore, the quarters are required for utilisation of the Department staff only.

The ground taken by the Government for not allotting the quarters to the members of the petitioner-association is that they are required to the Department staff to execute the Flood Flow Canal works, which are under progress. Therefore, the question of allotment of the quarters on outright sale basis does not arise. The GOs, on which the petitioner has relied upon, has no application to the present facts of the case. In view of the submission made by the learned Government Pleader for Irrigation, and in view of the fact that the Flood Flow Canal Works are awarded to various agencies and the work is in progress, I do not think that there is any arbitrary action on the part of the respondents in not allotting the quarters to them. The members of the petitioner-association do not have any vested right to claim the allotment of quarters on outright sale basis.

Therefore, the writ petition is devoid of merits, and is, accordingly, dismissed. No costs.

23-09-2005

LUR